

REMARKS

Claims 31-55 are pending in the present application.

In the office action mailed December 21, 2004 (the "Office Action"), the drawings were objected to as failing to show every feature of the invention specified in the claims. Claims 42-55 were also rejected in the Office Action under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 31-41 were rejected under 35 U.S.C. 102(b) as being clearly anticipated by the Applicant's Prior Art (the "APA"). Lastly, claims 42-55 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-23 of U.S. Patent No. 6,690,148 to Harrison (the "Harrison patent").

With respect to the objection to the drawings for claims 32 and 33, an example of "increasing an impedance that establishes the relationship between the supply voltage and the reference voltage" recited in claim 32 and "a voltage controlled impedance device" recited in claim 33 is shown in Figure 3 by the NMOS transistor 318. As known in the art, a voltage applied to the gate of the NMOS transistor adjusts the channel impedance. Thus, the NMOS transistor 318, in conjunction with the description of the operation of the coupling circuit 315 and the voltage sensing circuit 322, illustrates increasing an impedance that establishes the relationship between the supply voltage (VCC in Figure 3) and the reference voltage (VREF in Figure 3). Moreover, the NMOS transistor 318 is an example of a voltage controlled impedance device. With respect to the objection to the drawings for claim 42, an example of the voltage pump circuit recited in claim 42 is generally shown in Figure 3 by the combination of the Schmitt Trigger comparator 302, oscillator 304, and the charge pump circuit 306.

Claims 42, 47, 49, and 54 have been amended to overcome the Examiner's rejection of claims 42-55 under 35 U.S.C. 112, second paragraph. The term "variable switch" has been amended to recite "variable coupling circuit." It will be apparent from the amendments, and the comments below, that the amendments to claims 42, 47, 49, and 54 do not narrow or further limit the scope of the invention as recited by the respective claim. Generally, the amendments make explicit what is implicit in the claim, add language that is inherent in the unamended claim, or merely redefine a claim term that is previously apparent from the description in the specification. Consequently, the amendments should not be construed as being

“narrowing amendments,” because these amendments were not made for a substantial reason related to patentability.

As previously mentioned, claims 31-41 have been rejected under 35 U.S.C. 102(b) as being anticipated by the APA, namely Figure 1 of the present application and the related description.

Claims 31, 35, and 39 are patentably distinct from the APA because the APA fails to disclose each limitation in the combination of limitations recited by the respective claim. Claim 31 recites in pertinent part, monitoring the magnitude of the reference voltage, and in the event the magnitude of the reference voltage exceeds a threshold voltage, adjusting a relationship between the reference voltage and the supply voltage in accordance with the magnitude of the reference voltage exceeding the threshold voltage. In contrast, the voltage generation circuit 100 shown in Figure 1 does neither of these things. As shown in Figure 1, and described in the Background of the Invention, the overvoltage detector is coupled to the supply voltage VCC, and generates an active overvoltage signal OV when the *supply voltage VCC* exceeds a predetermined value. The monitoring of the reference signal VREF is not disclosed.

Moreover, in contrast to the limitations recited in claim 31, the relationship between the reference voltage VREF and the supply voltage VCC of the voltage generation circuit 100 is fixed by the diode-coupled PMOS transistor 116. Regardless of the value of VCC, VREF or VCCP, the relationship between VREF and VCC is the same, that is, a gate threshold voltage drop of the PMOS transistor 116. Claim 31 recites that a relationship between the reference voltage and the supply voltage is adjusted in the event the magnitude of the reference voltage exceeds a threshold voltage. This, however, is not the case in the voltage generation circuit 100 of Figure 1.

Claim 35 recites, in pertinent part, monitoring the value of the reference voltage and adjusting the relationship of the reference voltage to the supply voltage from the first relationship to a second relationship in response to the reference voltage exceeding a threshold voltage. Claim 39 recites, in pertinent part, monitoring the value of the reference voltage on the reference node and adjusting the coupling of the supply voltage to the reference node responsive to the monitored value of the reference voltage to control the value of the reference voltage. As previously discussed with respect to claim 31, the voltage generation circuit 100 of Figure 1 and

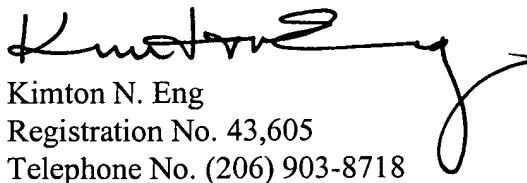
the accompanying description do not disclose either monitoring the reference voltage or adjusting a relationship between the supply voltage and the reference voltage.

For the foregoing reasons, claims 31, 35, and 39 are patentably distinct from the APA. Claims 32-34, which depend from claim 31, claims 36-38, which depend from claim 35, and claims 40 and 41, which depend from claim 39, are similarly patentably distinct from the APA based on their dependency from a respective allowable base claim. That is, each of the dependent claims further narrows the scope of the claim from which it depends, and consequently, if a claim is dependent from an allowable base claim, the dependent claim is also allowable. Therefore, the rejection of claims 31-41 under 35 U.S.C. 102(b) should be withdrawn.

To address the Examiner's rejection of claims 42-55 under the judicially created doctrine of obviousness-type double patenting over claims 1-23 over the Harrison patent, a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) has been provided with this amendment. Consequently, the rejection of claims 42-55 for obviousness-type double patenting should be withdrawn.

All of the claims pending in the present application are in condition for allowance. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
DORSEY & WHITNEY LLP


Kimton N. Eng
Registration No. 43,605
Telephone No. (206) 903-8718

KNE:ajs

Enclosures:

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Fee Transmittal Sheet (+ copy)

Terminal Disclaimer

DORSEY & WHITNEY LLP

1420 Fifth Avenue, Suite 3400

Seattle, Washington 98101-4010

(206) 903-8800 (telephone)

(206) 903-8820 (fax)

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